



Entered on Docket
September 27, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Second Omnibus
Objection Of USACM Trust To Proofs
Of Claim Based Entirely Upon Investment
In The Del Valle Livingston Loan; Except
for Claim of Donald Redmon, and Notice
of Status Hearing as to Donald Redmon
Only**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m..

The Court having considered the "Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Del Valle Livingston Loan," ("Del Valle Livingston Loan") [DE 8534] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; an informal response having been received from Jaylyle Redmon on behalf of Donald

1 Redmond; no other responses to the Objection having been filed; the Court noting on the
2 record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct
3 lenders' right to repayment by the borrower or from the collateral securing the Del Valle
4 Livingston Loan; and good cause appearing:

5 **IT IS ORDERED** that:

- 6 1. The Objection [DE 8534], except for Claim of Donald Redmon is sustained;
- 7 2. The claims listed on **Exhibit A** attached, except for Claim of Donald
8 Redmon are disallowed in full because those claims are based entirely upon an investment
9 in the Del Valle Livingston Loan;
- 10 3. Donald Redmon Proof of Claim No. 10725-00482 is hereby set for a Status
11 Hearing on September 30, 2011 at 9:30 a.m.; and.
- 12 4. Failure of Donald Redmon to appear at the Status Hearing will be deemed
13 withdrawal of the response.

14
15
16 PREPARED AND RESPECTFULLY SUBMITTED BY:

17 **LEWIS AND ROCA LLP**

18
19 By /s/ John Hinderaker (AZ #018024)

20 Robert M. Charles, Jr.

21 John Hinderaker (*pro hac vice*)

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26 *Attorneys for USACM Liquidating Trust*

LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

_____ No party appeared at the hearing or filed an objection to the motion.

XXX I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: <u>Donald and Jaylyle Redmon</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input checked="" type="checkbox"/> failed to respond to the document

s/Donald Redmon
51 Sanlo Lane
Mountain Home AR 72635

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

USACM Trust
Del Valle - Livingston Loan
Single Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount Relating to the Del Valle - Livingston Loan	Approximate Amount Subject to Objection Because it Relates to an Investment In the Del Valle - Livingston Loan
10725-00593	10/16/2006	Kantor Family Trust Dated 5/6/82	C/O Ronald A & Ruth E Kantor Ttees 1921 N Beverly Dr Beverly Hills, CA 90210-1612	369.00	369.00
10725-01771	12/13/2006	Larson, Gary & Dolores	544 Rolling Hills Dr Mesquite, NV 89027	51,463.00	51,463.00
10725-02358	1/16/2007	Linda S Reed IRA	First Savings Bank Custodian For Linda Reed 968 Gresham Road Cadiz, KY 42211	156,207.34	78,103.67
10725-00703	10/24/2006	M L & Pauline Smith Family Living Trust	C/O M L & Pauline Smith Trustees 3108 N Minersville Hwy Cedar City, UT 84720-5407	3,080.05	3,080.05
10725-00870	11/1/2006	Marston, John M & Linda S	12441 Road 44 Mancos, CO 81328	52,298.62	52,298.62
10725-01379	11/13/2006	Payne, Shirley	Po Box 208 Grass Valley, CA 95945	100,000.00	100,000.00
10728-00130	11/17/2006	RDJ Investments	Richard Anderson Manager 7417 Oak Grove Las Vegas, NV 89117	200,000.00	200,000.00
10725-00472	10/6/2006	Reedman, Donald	51 Santo Ln Mountain Home, AR 72635	50,824.65	50,824.65
10725-02564	6/25/2007	Retirement Accounts Inc CFBO Judd Robbins IRA	C/O Bradley Paul Elley, Esq. 120 Country Club Dr, Ste 5 Incline Village, NV 89451	25,000.00	25,000.00
10728-00131	11/17/2006	Richard N Anderson Seperate Property Trust	Richard N Anderson Ttee 7417 Oak Grove Las Vegas, NV 89117	200,000.00	200,000.00

EXHIBIT A